

# **CARMEL PLAN COMMISSION SPECIAL STUDIES COMMITTEE TUESDAY, SEPTEMBER 6, 2005**

## **Minutes**

The Special Studies Committee of the Carmel Plan Commission met at 6:00 PM September 6, 2005 in the Caucus Rooms of City Hall, Carmel, Indiana.

Members present: Jerry Chomanczuk, Wayne Haney, Steve Stromquist, Madeleine Torres, thereby constituting a quorum.

DOCS Staff Present: Matt Griffin and David Littlejohn; David reviews the signs for the Department. Also in attendance: John Molitor, Legal Counsel

Matt Griffin reminded the Committee of the Todd Zimmerman presentation in the Chambers next Tuesday, September 13, 2005 at 7:00 PM. The topic is "Housing Trends."

### **The Special Studies Committee considered the following items:**

**1. Docket No. 04090045 ADLS: O'Malia Fireplace.**

The applicant seeks approval of a building and parking lot expansion. The site is located at 220 South Range Line Road. The site is zoned B-1/Business.

Filed by Paul Reis of Drewry Simmons Vornehm, LLP for Helen J. O'Malia Trust.

Paul Reis, attorney appeared before the Committee and reported that this particular item would be returning to the Committee at a later date with an up-dated package. The petitioner met with Les Olds, Director of the Carmel Redevelopment Commission and they have had some input. The project is still very much alive but is being coordinated with Redevelopment Commission. It will probably be about 60 days before this item is ready to present to the Committee.

The site plan previously submitted will be radically changed, although some things will still pertain.

Docket No. 04090045 ADLS, O'Malia Fireplace was continued to the October 04, 2005 Special Studies Committee.

**2. Docket No. 05060013 ADLS Amend: Carmel Office Park – Building 4**

The applicant seeks to construct a 10,105 square foot office/warehouse building and associated parking.

The site is located at 389 Gradle Drive and is zoned I1 (Industrial).

Filed by Mark Settlemyre of Foresight Engineering.

**Continued** to October 04, 2005

**3. Docket No. 05060035 ADLS Amend: Hamilton Crossing East: Chase Bank**

The applicant seeks approval for 2 wall signs and a building retrofit.

The site is located southeast of 126th St. and US 31 and is zoned B-2/Business within the US 31 Overlay.

Filed by Paul Reis of Drewry Simmons & Vornehm.

Paul Reis, attorney, Drewry, Simmons & Vornehm, 8888 Keystone Crossing, appeared before the Committee representing the applicant. Also in attendance: Greg Snelling, Lori North; Eric Strickland, Kite Realty; Steve Fehribach and Matt Brown, A & F Engineering.

The current proposal is for a new Chase Bank within the Hamilton Crossing East center. What is being proposed is that in addition to the bank branch, drive-through facilities are anticipated. In order to do that, one of the access drives into the center would have to be reconfigured.

At the meeting on July 5<sup>th</sup>, there was a sense of concern regarding the internal traffic pattern within the center with the reconfiguration. Kite engaged A & F Engineering traffic engineers to look at the traffic pattern inside the shopping center and determine the impact of the reconfigured drive.

Up-dated elevations were presented. The building materials utilized for the canopy and the drive-through facilities are consistent with the existing brick and EFIS material found throughout the center. In addition, elevations have also been added to better show the ATM machine and the drive through window on the proposed drive-through. The second elevation shows the width of the storefront. A 50 square-foot wall identification sign is permitted. The sign being proposed is less than 50 square feet on the west and east facades.

As mentioned earlier, the Kite Companies retained A & F Engineering in order to analyze concerns expressed relating to the internal traffic circulation within the center. Traffic will not be able to exit to the east and their conclusion is that traffic operations along the external roadway (Carmel Drive, Pennsylvania Street) and along the internal shopping access drives will continue to operate efficiently and safely with the addition of the bank

There were some additional concerns regarding how the traffic volume was measured—in other words, 1) Where were the counters located. 2) Lunch hour traffic volumes. 3) Impact on pedestrian traffic. 4) Additional traffic generated by the bank.

Steve Fehribach of A & F Engineering addressed the Committee and explained the traffic counts that were performed. The generated traffic for the proposed bank is generated in two ways. One is the by-pass trip and one is the internal trip. When those two trips are combined, that is 70% of the traffic into the bank—70% of the vehicles going to the bank are already on the road system, and that traffic is not added twice. Also, when the study was done, the bank space was assumed to be occupied—probably with retail. The overall net increase is very minimal.

Regarding directional signage for this project, there will be signs up during the construction that will familiarize public with entering and exiting the site. Upon construction completion, some of

the signs will be traded out; the temporary signs will be totally removed, and three signs will remain. One of those signs is a no right turn heading north, heading south—there is no left turn into the drive through. There is an existing stop sign that will remain and “Do Not Enter” signs as well. From a safety standpoint, these are the signs that will remain.

**Note:** The Chase sign on the east wall will require approval from the Board of Zoning Appeals.

Other signs will be replaced once the bank opens. Primarily, the directional signs to exit the site, use of the ATM, and direction for the drive-through facility will be installed and maintained.

Department Report, Matt Griffin. The re-design of the site also includes landscaping that was to be changed. The Urban Forester has reviewed and approved the changes. The traffic circulation inside the site was a question concerning how much traffic actually uses the reconfigured drive to travel east to Pennsylvania and how much actually cuts around it. Steve Fehribach responded that traffic exits the site at about one car per minute.

Note: The sign on the east wall will require approval from the Board of Zoning Appeals.

Steve Stromquist moved for approval of **Docket No. 05060035 ADLS Amend, Hamilton Crossing East, Chase Bank**, seconded by Madeleine Torres, **APPROVED 4-0**.

- 4. Docket No. 05070021 ADLS Amend: Burger King Exterior**  
The applicant seeks approval for exterior modifications (painting and roofing.)  
The site is located at 613 E. Carmel Drive and is zoned B8.  
Filed by Robert Cripe of Peabody Painting for Burger King.

Robert Cripe of Peabody Painting appeared before the Committee representing the applicant.

The roof of the building will be painted. The walls will be painted, all water-soluble products. A color palette was shown.

Jerry Chomanczuk was concerned with the number of colors presented in the color palette for the building. When those colors are added to the play area, (orange, red, blue, etc) it is not something that Carmel wants to see on Carmel Drive. Earth tones would be more in keeping with the Carmel Drive area.

Department Report, Matt Griffin. There is a distinct possibility that the playground structure may be eliminated in a future re-design.

Madeleine Torres commented that perhaps a representative of Burger King should be presenting rather than the painting contractor.

#### **Public Input:**

**Ila Badger**, 3039 Rolling Springs Drive, Carmel, former Commission member at the time the initial Burger King was approved—states that the landscaping surrounding the play area was a condition/requirement at the time of approval and would like to see it retained.

The Committee agreed to continue **Docket No. 05070021 ADLS Amend, Burger King Exterior** to the October 4, 2005 Committee meeting at 6:00 PM in the Caucus Rooms of City Hall. It was agreed that a representative of Burger King should be available.

**5. Docket No. 05080008 ADLS Amend: KinderCare Learning Center Signage**

The applicant seeks approval for a new ground sign.

The site is located at 10616 Lakeshore Drive and is zoned S-2

Filed by Bill Hutchison for Hutchison Signs and Electric Co.

Bill Hutchison, 215 South Muncie Street, Indianapolis appeared before the Committee representing the applicant.

The petitioner is seeking approval for a 30 square-foot ground sign. KinderCare had said that they would take care of their own permitting and ADLS application. The sign was created and subsequently shipped to Hutchison Signs. When it became known that no ADLS had been applied for, Bill Hutchison applied for it himself. There is documentation from Dawn Pattyn in 2003 verifying the situation.

The site plan shows the sign set back behind the sidewalk approximately 5 ½ feet. The sidewalk is 4 feet wide, and calculations determine that the sign is approximately 9 feet off the right-of-way line. The sign is six feet off the ground.

The lighting detail shows 6, F-60 cool white, fluorescent lights with approximately 120 volts. There are about 14.75 lumens.

Landscaping: Approximately 30 square feet of landscaping consisting of low junipers and ivy. The columns will be supported with brick columns, 18 inches in width on the face side, 12 inches in depth on the sides and will match the sign. The brick and limestone caps will be contingent to match the building and the same color combination will be utilized. The colors are reddish-brown brick with a light, sandstone color grout. The landscaping will project about 10 to 12 inches and will not interfere with the copy on the sign.

The sign has a band underneath that is 10 inches tall; the base is EFIS coated. The base is made of aluminum background with the EFIS cover and rust will not be a concern. The sign cabinet is all aluminum extruded.

Department Report, David Littlejohn. The current sign has been moved from the original location in the application. If the sign has been constructed in the right-of-way, the sign may need a variance for the setback requirement. The application shows nothing regarding the wall sign.

The petitioner stated the wall sign is 2X2, 4 square feet. David Littlejohn commented that the wall sign would require a permit. A variance may be needed for the size of the sign that is larger than 30 square feet. Also, the landscape plan is to be submitted to Scott Brewer for approval.

The petitioner stated that the sign is definitely under 30 square feet.

### **Public Input/Opposition**

**Jack Badger**, 3039 Rolling Springs Drive, said he had researched this particular site that is zoned S-2/Residential and granted Special Use in 1983 to National Child Care. Mr. Badger stated opposition to the ground sign—Mr. Badger said he had measured the right-of-way and he has determined that the sign is within the right-of-way and therefore in violation. There is also a spray-painted sign on the brick wall on the south side of the building. Landscaping along the southern border of the property was to have been maintained by KinderCare, and this has not been done—landscaping has died and has not been replaced. Outdoor storage is also an issue. A lighted ground sign should not be allowed in a residential area. This facility has existed since 1984 without a ground sign—why now?

**Fred Glaser, City Council Representative, District 5**, said he had taken an informal poll of some of his neighbors--lighted signs are not wanted in a residential area—they are also not allowed. The majority of the people in this residential neighborhood do not want this sign.

**Jenny Zigler**, 3029 Rolling Springs Drive, stated opposition to the number of buses at this facility. The buses all have signs and are parked close to the street.

DOCS, David Littlejohn said that he did not find any permits for the National Day Care signage; however, there was a sign on this site at one time before KinderCare was established.

It was the Committee's position that until existing violations are addressed, the Committee would not consider this petition.

Mr. Hutchison stated that he could commit on behalf of the petitioner to the following. The Spray-Painting on the south elevation will be removed. The 6-foot sign, 30 square feet, will be a non-lit sign. The sign will be moved out of the right-of-way and all trucks/buses would abide by City Ordinance and proper distance maintained from the street. The landscaping will be replaced and maintained. The petitioner will take corrective action on all of these issues.

Jerry Chomanczuk noted that there are ways to camouflage items left outside such as landscaping. Holding the landowner responsible for outdoor storage would also be an option. Jerry Chomanczuk suggested that the petitioner work with members of the community for a new sign.

Madeleine Torres said she would be in favor of a longer, lower sign that is "chiseled concrete," something like subdivision entry signs.

The Department will research previous commitments made by KinderCare in 1983 and subsequent years.

The petitioner will return to the Committee with a re-designed sign for further review on **October 4, 2005 at 6:00 PM**

**6. Docket No. 05080013 ADLS Bader Company Signage**

The applicant seeks approval for a new wall sign.  
The site is located at 9777 N College is zoned B-3.  
Filed by Doug Staley for Staley Signs, Inc.

Doug Staley, Staley Signs, 1133 Burdsal Parkway, Indianapolis appeared before the Committee representing the applicant. The petitioner is seeking approval for a new wall sign on the north elevation, non-illuminated, individual letters that will mirror the sign on the west elevation, facing College Avenue. The sign would be the same size, 29 inches by 15 feet, 6 inches, 37.75 square feet. The aluminum letters are a light cream color; both signs would be identical.

**No Public Remonstrance**

Madeleine Torres made formal motion to approve **Docket No. 05080013 ADLS Bader Company Signage**, seconded by Wayne Haney and **APPROVED** 4-0.

**7. Docket No. 05080023 ADLS Amend: Two Parkwood - Firestone Signage**

The applicant seeks approval for a new wall sign.  
The site is located at 310 E 96th St. is zoned B-6.  
Filed by Steve Granner for Bose McKinney & Evans LLP.

The petitioner failed to appear for this item. **Docket No. 05080023 ADLS will be heard at a Special Meeting** of the Special Studies Committee scheduled for **September 29, 2005 at 6:00 PM** in the Caucus Rooms of City Hall.

**8. Docket No. 05050003 Z: Fortune Rezone**

The applicant seeks to rezone 43.6 acres from S1 to PUD for the purpose of developing a site with single family homes, townhomes, and limited commercial uses. The site is located at 2555 W 131<sup>st</sup> Street and is zoned S1.  
Filed by Charlie Frankenger

Charlie Frankenger, attorney; Paul Shoopman, Indiana Land Development; the owners of the real estate; (Mark & Becky Herbison?) Ernie Reno, Indiana Land Development.

The petitioner is requesting a change in zoning classification from S-1 to a Planned Unit Development; the property consists of 43.6 acres. The petitioner initially appeared before the Plan Commission on July 19, 2005.

Charlie Frankenger commented on the density of the development. The Fortune Farms density goes from 2.9 to 4.2 if the commercial is removed from the equation. The density for the Village of WestClay jumps from 4.6 to 7.4 if the commercial use is taken out of the equation. The density for Fortune Farms is lower and transitions from the Village of WestClay.

Since the public hearing, Paul Shoopman has had numerous meetings with concerned neighbors and as a result, there have been many revisions to the plan. Those revisions are outlined in the informational brochures and include an enhanced buffer along the western boundary of the real

estate; the north/south road has been relocated to the east so that headlights would not shine into the Muehlenbein residence; and tree preservation has been significantly enhanced—large clusters of Burr Oaks have been preserved along the northern portion of the real estate. The PUD Ordinance has been corrected to indicate that two-car garages are required in all instances with single-family residential. There has been a reduction in height on the commercial buildings from 4 stories to 40 feet—the objective is to make the height limitation on the commercial the same as it is for WestClay. The Department has indicated to the petitioner that for integration and consistency in design, rather than being front-loaded through driveways and garages, the homes on the southern one-third of the western boundary should be accessed by alley and more in the motif of traditional neighborhood design. At the preference of the Committee, the petitioner is willing to do that, but it will require some coordination and cooperation from the Village of WestClay. Also at the option of the Committee and the suggestion of the Department, the petitioner can provide greater connectivity to the commercial area at the Village of WestClay.

There have been numerous architectural enhancements and those are delineated in the informational brochures. Briefly, a 12-inch overhang is required on all residential; the petitioner has agreed to incorporate an amenity center; landscape enhancements are being provided on the detached, single-family residences and minimum roof pitches are included; window grills are required in all windows; a minimum garage width has been established; vinyl siding has been eliminated as an exterior building material—vinyl-clad windows are allowed.

Department Report, Matt Griffin. The petitioner has made alterations to the plan as opposed to last month. This item may elicit subsequent, single-agenda meetings in order to save time at regularly stated Committee meetings. The Department is still reviewing the changes and would hope to see this development further integrated with its surroundings.

Chairperson Jerry Chomanczuk noted that another meeting to review this item specifically would be appropriate.

### **Public Input**

**Dee Fox**, Huntington Chase, stated that the major issues have not been addressed. There have been no changes to the commercial or common areas. The revisions offered are good, but are superficial in that those should have been done in the first place such as tree preservation, no vinyl siding, etc. The density is still not acceptable. There is still no useable recreational area. Regarding transition, Ms. Fox suggested that the property be developed S-1 designation to the west near the Village of WestClay lower density area and the open space along the east to buffer the commercial area. There is still unwanted commercial. The single-family homes are still too small minimum at 1400 square feet—the porches look very small and the garages take up half of the front of the house.

**Marilyn Anderson**, Shelborne Court, Carmel requested caps on the tops of outside lighting to control spillage into the sky. Regarding the Village of WestClay, one of the reasons it was said that density is 2.1 overall is that there are lots of open space areas within the entire project. Just because the open space areas are not west of Towne Road does not mean that the Village of WestClay does not include significant open space compared to the proposed Fortune Rezone. It

is not fair to separate it out. We know the library and post office are not likely to happen; the day care and medical office buildings are already permitted within the Village of WestClay and we are talking about adding commercial uses that would compete with what is already in the Village of WestClay and not developed. There is no point of setting up competition from what is already permitted next door. Marilyn Anderson referred to a conference previously attended as well as a book titled Urban Nation that talks about high volume transportation nodes and public transit. This is not what we are dealing with in this part of the community—the high volume transportation nodes do not exist and are not ripe for these plans anywhere soon. There are entire, one-mile grids on the west side that will never be able to connect to roads between the one-mile grids. As density is built north and it moves south to Indianapolis to I-465, you are forcing everyone onto one-mile grids and there is not the thoroughfare to support the density of this development.

Committee comments:

Madeleine Torres said that an important consideration of the density of this development is the impact on the school system.

Charlie Frankenberger responded that the ROSO permits a base density of 1.3, plus a bonus density if the open space provided exceeded the open space required. Under that formula, density is anywhere between 1.4 units per acre to 1.8 in general. Under the S-1 Classification before it was reduced from 1.3 units per acre to 1.0, an achievable density on the Fortune site as well as on the Village of WestClay site would be somewhere between 1.3 and 1.8 units per acre. Now that density has gone down to a uniform 1.0 per acre for all S-1 everywhere in Carmel, probably what would be achievable would be somewhere closer to 1.0 to 1.5 units per acre. Under S-1 zoning, 44 to perhaps 60 or 65 units could be constructed. Because a lot of these residences are townhomes, this development would have a net positive impact.

Jerry Chomanczuk said that with more and more townhomes, there is very little traditional R-1 or S-1 product being introduced. Previously, you would have expected to see 20 homes, nicely platted, now you would see 150 to 200 townhomes. These types of projects will have an impact, not only on the schools but also on the overall infrastructure. If it weren't for the Village of WestClay, would we even be looking at something like this? Could we not say that the Village of WestClay has paved the way for this type of development being proposed?

Jerry Chomanczuk also expressed concern with Sub-area A, the commercial aspect of this development, and would like to see it “nailed down.” There needs to be more specifics. Jerry commented that the density seems to be an on-going issue. However, it does seem as if we are making some progress, but those are key elements that need to be addressed.

Charlie Frankenberger responded that the petitioner is trying to build the type of subdivision with housing that is feasible adjacent to the uses and densities that are permitted. It would be very difficult to develop this real estate under the existing zoning with what has been approved to the immediate east. It just seems that one of the cornerstones of land planning is transition, and we do have high intensity uses in this area. We are trying to transition as we move westward. There isn't much more to transition beyond this point. However, this parcel is unique in that it is sandwiched.



**Docket No. 05050003 Z, Fortune Rezone** was **Continued** to a special meeting of the Special Studies Committee to be held on **Thursday, September 29, 2005 at 6:00 PM.**

**9. Docket No. 05060040 Z and 05060041 ADLS: 116<sup>th</sup> and College PUD**

The applicant seeks to rezone 12.4 acres from R1/Residential and B6/Business to PUD/Planned Unit Development for the purpose of creating a mixed use development comprised of townhome, retail, and office uses.

The site is located at NE corner of 116<sup>th</sup> Street and College Ave.

Filed by Timothy Ochs of Ice Miller for Equicor Development Inc.

Zeff Weiss, attorney with Ice Miller appeared before the Committee representing the applicant. Also in attendance: Greg Small and Mark Zuckerman, principals of Equicor, Tom Jolley , Don Guinnup, Engineer.

The petitioner is proposing approximately 60 townhomes on 12.4 acres with a common access to 116<sup>th</sup> Street as well as College Avenue. Since the initial site plan, parking is now provided along College Avenue, similar to that seen in Clay Terrace—a lane into the parking area and diagonal parking. The access off 116<sup>th</sup> Street will serve the residential as well as the townhome community located to the northeast; there will also be access onto Guilford. The petitioner will provide for an extension of the internal road across the property that will wrap around and into the other development. The petitioner will try to continue the aesthetics approved by the Commission in connection with 116<sup>th</sup> Street and Guilford project.

Department Report, Matt Griffin. This project is very much in line with future land use plan for the area. This project is in addition to the approved Townhomes at Guilford and this can be a very viable, semi-urban node. Access and on-street parking are provided and it seems as if all pieces of the puzzle exist, we are just trying to finesse them into a more successful project. There are a few outstanding items. Pedestrian circulation is still in discussion, on-street parking –some parking has been accommodated on College Avenue. As shown, the parking does not meet the Ordinance but this proposal is for a PUD and as such, there is some flexibility with how the parking is accommodated. It would be important to know what use the outlot would transition into so that we are sure what the parking can accommodate. There is some parallel parking along internal streets. We have an opportunity now to make sure this project has ample parking.

**Committee Comments:**

Jerry Chomanczuk said that parking is a key item, especially behind the townhomes. There is parking on both sides of the entry for business and retail. It needs to be spelled out, though, where is the parking short, and how short is the parking?

The petitioner stated that a lot of outdoor seating has been added to this project. Previously, the majority of entryways were designed to come in off the sidewalk, street, etc. That is why there are the benches and plants, etc.

Madeleine Torres commented about parallel parking on College Avenue and thought that would be a mistake. Madeleine would rather see the diagonal parking—so would the Department; the petitioner said that space would be a determining factor.

Jerry Chomanczuk asked about public notice to Meridian Technology Park. There are certain covenants and restrictions that apply. The Meridian Technology Park Association probably would have made the members of the Association fully aware of what was going on and how it would impact the Association. Jerry asked the petitioner to check and see if there were any further requirements required of Technology Center Association with other members.

Zeff Weiss answered in the positive. Meridian Technology Park Association had to consent to carving out the parcel, but Zeff would double-check.

Jerry Chomanczuk also asked the petitioner to strongly consider the walkways and to what extent and how far they are going. There seems to be an emphasis here with cars and parking lots, but less than 100 yards from the northern-most point, Conesco has a building with over 600 employees who would love to be able to walk during lunch or throughout the day. We are only talking about perhaps another 80 yards of walkway, but that requires cooperation and consideration with Meridian Technology Park. It would be of benefit not only to the City but also to the retail efforts.

Steve Stromquist asked about the west retention pond and said it seems out of place. Steve suggested putting it up in the corner.

Zeff Weiss responded that the retention has been somewhat of a challenge on this site. The petitioner is trying to landscape around it, dress it up, etc. We are trying to be sensitive to it. Ultimately, it is the way the land drains to the east.

Madeleine Torres questioned the outlot area—built at a future date?

Zeff Weiss responded that the petitioner will return to the Commission for ADLS when the outlots are brought forward, and that will include the parking. There is a little flexibility to address both how these are carved up as well as parking when the specific use is known. The outlot users will have their own parking area.

### **No Public Remonstrance**

Additional Department Comments, Matt Griffin. There is a little design work to be done; walkways, parking, etc.

Jerry Chomanczuk wanted to see a commitment from the City regarding the parking. Jerry suggested that the petitioner return to the special meeting of the Committee now scheduled for September 29<sup>th</sup>.

Zeff Weiss responded that there are 120 parking spaces inside the units, 120 in the driveways. In addition, there are 38 guest parking spaces. Also, the petitioner was considering a stamped, concrete walkway and this should probably have been shown on the site plan. Zeff Weiss said

he would double-check with Mike Wells to see if he has addressed the residents in Technology Park.

Steve Stromquist made formal motion to **forward Docket No. 0506-0040 Z and 05060041 ADLS, 116<sup>th</sup> and College PUD** to the full Commission with a favorable recommendation, seconded by Madeleine Torres, APPROVED 4-0.

**10. Docket No. 05060042 DP Amend/ADLS: Carmel Science and Technology Park, Blk 11**

The applicant seeks approval for a medical office building.

The site is located at the SW corner of Carmel Dr. and Guilford Rd. and is zoned M-3/Manufacturing.

Filed by Mary Solada of Bingham McHale.

Mary Solada, attorney with Bingham McHale appeared before the Committee representing the applicant. Also in attendance: Russ Boyer, project manager for Bremner & Wiley, Bob Doster, Schneider Engineering, and Dan Grubert, CSO Architects.

The petitioner is seeking approval for a medical office building at the southwest corner of Carmel Drive and Guilford Road. The property is zoned M-3/Manufacturing and is within the Carmel Science and Technology Park, Block 11.

The initial site plan has been revised to provide for a smaller building, (primarily masonry) reduced by approximately 10,000 square feet, and the orientation of the building has been pivoted more to the east and actually works better on the site and provides more of a front entrance facing Carmel Drive.

Regarding the pedestrian circulation around the site, the project team has met with the City Engineer and the Assistant City Engineer. The petitioner is willing to cooperate with the City Engineer's office as to their desire—sidewalk or a multi-use asphalt, walking path.

In terms of vehicular circulation, the intersection of Carmel Drive and Guilford is slated for some major reconfiguration in 2006. One of the requirements of the City Engineer's office and the Department is necessary right-of-way dedication as well as some usage of the pond to accommodate those intersection improvements. The petitioner is actually intending to purchase the pond and it would be used for site drainage.

Full access points onto Guilford are planned with a right-in/right-out only on 122<sup>nd</sup> Street. The access on Carmel Drive has been explicitly discussed with the City Engineer's office and Mr. McBride has no objection and is actually in support. The access point is clear of the planned medians that come down Carmel Drive and there is ability for full access.

Currently, there are two variances proposed for signage for this site that are to be heard at the September 26<sup>th</sup> BZA meeting. The variance would be to allow two wall signs on the same elevation and for a directory sign to be one foot higher than permitted.

At the moment, the planned use for this property is mixed retail, perhaps a bank and a restaurant, small shops etc.

Department Comments, Matt Griffin. Signage on the future lot really centers around how the land is split-up. The signage is based on frontage and depending on how the parcel is cut, there is potential for a non-conformity in that one or more frontages will be lost and the subsequent tenant would be held to however many frontages he has. As far as the engineering comment, Gary Duncan said he would rather see a pedestrian path over concrete; whatever Engineering decides, the Department is happy with it.

Additionally, the right-in/right-out on 122<sup>nd</sup> Street is frowned upon by Engineering. Most likely their comments will want to see that eliminated. The petitioner commented that initially, they had asked for full access and the Engineer's office frowned on that. The last conversation with the City Engineer was right-in/right-out.

Jerry Chomanczuk commented that there were at least 3 or 4 Plan Commission members that looked at the Carmel Drive entrance and did not see that happening. If this is really the position of the Engineering Department, a letter stating that position is requested from the City Engineer. How far is the curb cut on 122<sup>nd</sup> from the actual corner? There will be a traffic signal at Adams. If there is a stack of 6 cars, the curb cut will be in the way.

There was further discussion regarding the proposed curb-cut and a possible easement with the property next door for connecting parking lots, etc. There were logistical problems with a parking easement and concerns from REI that traffic would be funneled through their parking lot making it difficult for them.

Drainage is also a concern. Probably 80% of the greenspace is getting paved over, and now Guilford roadway drainage will be added into the pond. The petitioner said that up to this point, the pond has been under-utilized; the pond is sized and built as if the entire area had been developed.

The petitioner felt that the three curb cuts could alleviate some traffic, since people have alternate routes rather than all going into and out of Guilford and around.

There was no public remonstrance.

Jerry Chomanczuk commented that Carmel Science & Technology Park also has an association that has somehow been resurrected from the 1980's.

Mary Solada said they had been in contact with the attorney who formed the association and their Board is just now being appointed. The Declaration of Record does provide that the Board has architectural control and the plans must be submitted to the Board. That will not be done for a few weeks to allow the Board time to be organized.

Steve Stromquist made formal motion to **forward Docket No. 05060042 DP Amend/ADLS, Carmel Science & Technology Park, Blk 11** to the full Plan Commission with a complete,

thorough comprehensive report from Carmel Dept of Engineering regarding traffic, access, and curb cuts to this parcel, seconded by Wayne Haney. The vote was 2 in favor 2 opposed (Torres and Chomanczuk), no decision vote.

**11. Docket No. 05060053 DP/ADLS: Weston Pointe Retail Center**

The applicant seeks approval for multiple commercial/retail buildings.

The site is located at 11055 N. Michigan Rd. and is zoned B-2/Business within the US 421 Overlay.

Filed by Ronald Bell of Williams Realty Group for PL Properties, LLC.

Ron Bell, Williams Realty Group appeared before the Committee representing the applicant. Also in attendance: George Small, Architect; Aaron Hertz, Engineer; Nicholas Quintana, Sebree & Assoc., Architects; Gordon Allen, Prudential-Allen Real Estate.

The proposed project is for multiple commercial and retail buildings on 12.83 acres. The property is zoned B-2 Business and can accommodate up to 150,000 square feet of office space. The petitioner is intending to construct less than 100,000 square feet. A bank is under contract for approximately 5,000 square feet of space in the corner and a restaurant is proposed along US 421, approximately 4300 square feet. The remaining, third out-lot is not sold as yet.

The retail center in the middle has outdoor seating on either end and also has a very large courtyard in the center surrounded by a rotunda. The building will be wrapped with brick and landscaped.

The Prudential Allen building to the rear will consist of approximately 7,000 square feet and Williams Realty Group will have their corporate offices on the site in a 25,000 square foot building.

The buildings are EFIS (dryvit) brick and cast stone on the bottom; bronze glass in the front, aluminum surrounding green glass in the back.

No Public Remonstrance

Department Comments, Matt Griffin: As shown, the development plan complies with the 421 Overlay, however, the landscape plan has not yet been officially approved by Scott Brewer, Urban Forester. The parking has not been adequately addressed; colored building elevations are outstanding. What is being looked at tonight is the main tenant building and headquarters.

Mr. Bell commented that probably the remaining facet would be the path from the middle of the center that will be connected to the subdivision to the rear.

John Molitor, Legal Counsel said that the buildings are part of the development plan and the path needs to be shown as well as access. The ADLS can come in separately. It is confusing because the buildings are part of the development plan but not part of the ADLS.

Matt Griffin then recapped the project. The three outlots along US 421 will return for DP and ADLS and site circulation, parking, and the buildings will be shown. The single, 7,000 square foot building will come back before the Commission as an ADLS Amend, and that specific building and architectural design and signage will be seen.

Jerry Chomanczuk asked if there would be a traffic light in this area. The petitioner responded that there is a traffic light warrant and money set aside by the four contiguous developers: REI, Browning, Heritage, Bremner & Wiley and Weston Pointe Retail. \$111,000 has been set aside for the traffic light. The warrant has been issued, subject to sufficient development to allow for the light.

Madeleine Torres made formal motion to **forward Docket No. 05060053 DP, Development Plan for Weston Pointe Retail Center** to the full Plan Commission with a positive recommendation, seconded by Steve Stromquist, Approved 4-0.

**Note:** The **ADLS portion of Docket No. 05060053** – the main two tenant buildings and the headquarters will be reviewed at the October 4, 2005 Special Studies Committee meeting.

There was no further business to come before the Committee and the meeting adjourned at 10:00 PM.

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Jerry Chomanczuk, Chairperson

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Ramona Hancock, Secretary